

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

RUTH ESPERANCE, Plaintiff, v. THOMAS J. VILSACK, Secretary of Agriculture, U.S. Department of Agriculture, Defendant.	5:20-cv-05055-LLP DEFENDANT’S MOTION FOR JUDGMENT AS A MATTER OF LAW AND MOTION FOR NEW TRIAL OR REMITTITUR
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Defendant, Thomas J. Vilsack, by and through counsel, United States Attorney Alison J. Ramsdell, and Assistant United States Attorney Michael S. Hofmann, renews his motion for judgment as a matter of law pursuant to Federal Rule of Civil Procedure 50(b) and requests that judgment be entered in his favor. In the alternative, Defendant moves for a new trial or remittitur under Federal Rule of Civil Procedure 59. Additionally, Defendant moves to amend the judgment to conform to the statutory cap of \$300,000 for non-pecuniary compensatory damages pursuant to 42 U.S. C. § 1981a.

These motions are supported by the Brief in Support of Defendant’s Motion for Judgment as a Matter of Law and Motion for New Trial or Remittitur filed herewith.

Dated this 20th day of October, 2023.

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